IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

(1) Writ Petition No. 4725 of 2004

1. Sarangpani Jagannath Randive
and others ..Petitioners

vs.

1. Shri U.C.Jade and others ..Respondents

Shri R.D.Suryavanshi for petitioners
Shri S.V.Sakhare for respaondents.

(2) Writ Petition No.4866 of 2004

1. Vishwanath Mahankal Babre
and others ..Petitioners

vs.

Shri U.H.Jade and ors. ..Respondents

Shri V.B.Naik with Shri I.M.Khairadi for petitioners
Shri S.V.Sakhare for respondents.

(3) Writ Petition No.5434 of 2004

Shri Tanaji Shankar Babar
and others ..Petitioners

vs.

1. Shri U.H.Jade and others ..Respondents

Shri V.B.Naik with Shri I.M.Khairadi for petitioners
Shri S.V.Sakhare for respondents.

CORAM: A.P.SHAH
S.U.KAMDAR JJ.
7th Setember, 2004

P.C.

1. Heard parties.

2. Rule. By consent, rule is made returnable forthwith.

3. The dispute is pertaining to the election held for electing the Managing Committee of Dr.Ambedkar Memorial Fund Committee,a public charitable trust registered under the Bombay Public Trust Act,1950. The main disputes are about the deletion of members at Sr.Nos.332 to 348 on the ground of default and secondly whether the members at Sr.No.119 to 331 were validly enrolled or not.

4. These being the essentially questions of facts, all the learned Counsel agree that these issues ought to be dealt with and decided by the authority under the Bombay Public Trust Act. By consent of the parties, we direct the Asstt.Charity Commissioner, Solapur to treat the contentions raised in the above writ petitions and civil applications as objections and decide the validity of the voters list within a period of six weeks from the date of receipt of the copy of this order without in any manner being influenced by the observations made in this order or the order of the learned vacation Judge dated 3rd June, 2004. As far as possible hearing shall be conducted on day today basis. The parties agree to cooperate with the Asstt.Charity Commissioner for concluding the

hearing within the time specified by this court.

5. All contentions on merits of the respective parties are left open.

6. In the mean time appointment of adhoc committee shall continue to be in charge of office but shall not take any policy decision and only carry the day today administration of the Trust.

7. The parties are directed to appear before the Asstt.Charity Commissioner on 15th September, 2004.

8. Writ petitions and Civil Applications stand disposed of accordingly.